

EXPRESS EV3653960324US

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:
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NOTIFICATION OF TRANSMITTAL OF
INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 71.1)

Date of Mailing
(day/month/year)

13 SEP 2004

Applicant's or agent's file reference

IMPORTANT NOTIFICATION

PU020413

International application No.

International filing date (day/month/year)

Priority date (day/month/year)

PCT/US03/27989

05 September 2003 (05.09.2003)

05 September 2003 (05.09.2003)

Applicant

THOMSON LICENSING S.A.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/US
Mail Stop PCT, Attn: IPEA/US
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PU020413	FOR FURTHER ACTION	
See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)		
International application No. PCT/US03/27989	International filing date (day/month/year) 05 September 2003 (05.09.2003)	Priority date (day/month/year) 05 September 2002 (05.09.2002)
International Patent Classification (IPC) or national classification and IPC IPC(7): H04N 7/173; H04N 5/91 and US Cl.: 725/88; 102; 386/68; 83		
Applicant LOCKRIDGE ET AL		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of ___ sheets.</p>	
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application 	

Date of submission of the demand 31 March 2004 (31.03.2004)	Date of completion of this report 24 May 2004 (24.05.2004)
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer  Thai Tran Telephone No. 703-305-3900

I. Basis of the report

1. With regard to the elements of the international application:*

the international application as originally filed.

the description:

pages 1-6 as originally filed
 pages NONE, filed with the demand
 pages NONE, filed with the letter of _____.

the claims:

pages 7-9, as originally filed
 pages NONE, as amended (together with any statement) under Article 19
 pages NONE, filed with the demand
 pages NONE, filed with the letter of _____.

the drawings:

pages 1-3, as originally filed
 pages NONE, filed with the demand
 pages NONE, filed with the letter of _____.

the sequence listing part of the description:

pages NONE, as originally filed
 pages NONE, filed with the demand
 pages NONE, filed with the letter of _____.

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
 the language of publication of the international application (under Rule 48.3(b)).
 the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

contained in the international application in printed form.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority in written form.
 furnished subsequently to this Authority in computer readable form.
 The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

the description, pages NONE
 the claims, Nos. NONE
 the drawings, sheets/fig NONE

5. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)	Claims <u>1-12</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>1-12</u>	YES
	Claims <u>NONE</u>	NO
Industrial Applicability (IA)	Claims <u>1-12</u>	YES
	Claims <u>NONE</u>	NO

2. CITATIONS AND EXPLANATIONS

In regard to Claims 1-12, the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest a system or method wherein "the allocating of predetermined storage limits for the plurality of clients includes allocating identical and/or different storage limits for the plurality of clients."

Hejan (US 6,598,228) discloses a storage system for recording of broadcast programming having various storage mediums as seen in Figure 1. The system has various storage mediums as seen in Figure 1 and with the use of FIFO buffers utilizes the storage when playing back data as seen in Figure 2 and described in Column 4 lines 33+. Thereby fails to disclose an allocation of a predetermined storage limit to a plurality of clients with the storage either being identical or different storage capacities.

Haraguchi (US 5,974,217) discloses a video on demand system for delivering program data to various clients on a network as seen in Figure 1. The storage system of each client is determined by a buffer as described in Column 9 Lines 50-66, which allows for storage size that is large enough to be able to store the output of the system; however fails to disclose a storage system with a predetermined storage limit which is monitored and checked for storage capacity being reached. Therefore, it is seen without a predetermined storage limit it further lacks allocation of varying storage limits depending on the clients.

Vallone (US 6,642,939) discloses a multimedia scheduling presentation system for recording and scheduling various multimedia programs. As seen in Figure 1 the system has storage capabilities in a form of a hard drive and also presents other recording features (pause, rewind, etc) as seen in Figure 26 and 27. The storage medium allows for storage of programs from one user/client and allows recording until the storage limit is met as described in Column 20 Lines 23-32. The system fails to disclose an allocation step of determining identical or different storage limits of users/clients.

In regard to Claims 1-12, the criteria set out in PCT Article 33(4), and thus meets industrial applicability because the subject matter claimed can be made or used in industry.

----- NEW CITATIONS -----